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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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DANIEL STOLTZFUS  
and SAVILLA STOLTZFUS,

Plaintiffs,


v.

LITTLE ELK CREEK FARM, LLC, PSR  
LANCASTER, LLC, PSR KIRKWOOD, LLC,  
BYLER GOODLEY & WINKLE, P.C.,  
WILLIAM BRYAN BYLER, SAMUEL A.  
GOODLEY, JR., ERIC L. WINKLE, OLD  
ORDER AMISH HELPING PROGRAM, LEVI  
ESH, AMISH AID SOCIETY, and AMISH  
SOCIETY OF LANCASTER COUNTY,  
PENNSYLVANIA,

Defendants

Civil Action No. **09 3793**

Jury Trial Demanded

**FILED**  
AUG 19 2009  
By  Dep. Clerk

**NOTICE FOR REMOVAL OF ACTION**

To: Darrell Van Ormer and Associates  
344 South Market Street  
Elizabethtown, PA 17022  
(717) 367-6831

Please take notice that Defendants Old Order Amish Helping Program (“OOAHP”) and Levi Esh (“Esh”) (collectively hereinafter the “OOAHP Defendants”) hereby remove this action from the Court of Common Pleas of Lancaster County, Pennsylvania, to the United States District Court for the Eastern District of Pennsylvania, pursuant to 28 U.S.C. § 1441. In support of this Notice, OOAHP Defendants state as follows:

1. On or about July 22, 2009, Plaintiffs Daniel Stoltzfus and Savilla Stoltzfus (“Plaintiffs”) commenced this action against OOAHP Defendants and others, including Little Elk Creek Farm LLC, PSR Lancaster LLC, PSR Kirkwood LLC, Byler Goodley & Winkle, P.C., William Bryan Byler, Samuel A. Goodley, Jr. and Eric L. Winkle (collectively the “Byler

Defendants”), by filing a civil complaint in the Court of Common Pleas of Lancaster County, Pennsylvania, docketed at Case No. 09-10891 (the “Complaint”). A true and accurate copy of said Complaint is attached hereto as Exhibit A.

2. A copy of the Complaint was served upon OOAHP Defendants on July 28, 2009, by personal service upon Lena Riehl, adult daughter of Defendant Esh.

3. Prior to retaining counsel, Defendant Esh filed a document *pro se* in the Court of Common Pleas. However, OOAHP Defendants are unable to attach a copy of this document to this Notice because the Prothonotary’s Office is now unable to produce the document and Defendant Esh did not retain a copy of this document for his own records.

4. This Notice of Removal is being filed with this Court within 30 days of the filing of the Complaint, and within 30 days of service of the Complaint.

5. The Complaint asserts, *inter alia*, causes of action arising under the laws of the United States, to wit: The Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §§ 1961, *et seq.*; the Sherman Anti-Trust Act, 15 U.S.C. § 1; the Bank Holding Company Act, 12 U.S.C. §§ 1841, *et seq.*; the “Anti-Tying Provision” of the Thrift Institutions Restructuring Act, 12 U.S.C. § 1464(q)(1); and the Fair Housing Act, 42 U.S.C. §§ 3605.

6. Because Plaintiffs’ claims raise federal questions, this Court has original jurisdiction over such claims, without regard to the amount in controversy. 28 U.S.C. § 1331.

7. Because Plaintiffs’ claims raise federal questions, this matter may be removed to this Court, without regard to the citizenship or residency of the parties. 28 U.S.C. § 1441.

8. Because Plaintiffs assert separate and independent claims within the jurisdiction conferred by 28 U.S.C. § 1331, this Court may remove the entire case, including any claims that would otherwise be non-removable. 28 U.S.C. § 1441(c).

9. Plaintiffs are individuals who reside in Chester County, Pennsylvania, and all Defendants reside or have their principal place of business located in either Chester County, Pennsylvania, or in Lancaster County, Pennsylvania. Hence, venue in this district is proper.

10. OOAHP Defendants will promptly file a true and correct copy of this Notice of Removal with the Prothonotary of the Court of Common Pleas of Lancaster County, Pennsylvania.

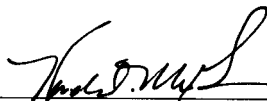
WHEREFORE, Defendants Levi Esh and Old Order Amish Helping Program remove the action now pending in the Court of Common Pleas of Lancaster County, Pennsylvania, docketed at Case No. 09-10891, to the United States District Court for the Eastern District of Pennsylvania.

BARLEY SNYDER LLC

Dated: \_\_\_\_\_

8/19/09

By: \_\_\_\_\_



Kendra D. McGuire, Esq. (I.D. No. 50919)  
Joshua J. Knapp, Esq. (I.D. No. 92123)  
*Attorneys for Defendants Levi Esh and  
Old Order Amish Helping Program*

126 East King Street  
Lancaster, PA 17602  
(717) 299-5201

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice for Removal of Action has been served this 18<sup>th</sup> day of August, 2009, by first class mail, postage prepaid, upon:

Darrell Van Ormer, Esquire  
Darrell Van Ormer and Associates  
344 South Market Street  
Elizabethtown, PA 17022  
(717) 367-6831  
Attorneys for Plaintiffs

**FILED**  
404  
2009  
By \_\_\_\_\_  
Dep. Clerk

Eric L. Winkle, Esquire  
Byler Goodley & Winkle, P.C.  
363 West Roseville Road  
Lancaster, PA 17601  
(717) 560-6330  
Attorneys for Defendants  
*Little Elk Creek Farm LLC,*  
*PSR Lancaster LLC, PSR Kirkwood LLC,*  
*Byler Goodley & Winkle, P.C.,*  
*William Bryan Byler, Samuel Goodley, Jr.,*  
*and Eric L. Winkle*

BARLEY SNYDER LLC

By: \_\_\_\_\_

Kendra D. McGuire, Esq. (I.D. No. 50919)  
Joshua J. Knapp, Esq. (I.D. No. 92123)  
*Attorneys for Defendants Levi Esh and*  
*Old Order Amish Helping Program*

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